

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 3RD JANUARY 2007 / 13TH AGRAHAYANA,1928

Bail Appl.No. 7662 of 2006()

CMP.9692/2006 of J.M.F.C.-II,KOTTARAKKARA
CR No.104/06 of Chadayamangalam Excise Range
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: PETITIONER/ACCUSED:

SOMARAJAN @ KUTTY MUTTY SOMAN,
S/O.AYYAPPAN, AYACODU PUTHEN VEEDU,
KUDAVETTOOR MURI, VELIYAM, KOTTARAKKARA.

BY ADV. SRI.K.ABDUL JAWAD

RESPONDENTS: COMPLAINANTS:

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1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.
 2. EXCISE INSPECTOR, EXCISE RANGE,
CHADAYAMANGALAM.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 03/01/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V.Ramkumar, J.
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B.A.No.7662 of 2006
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Dated this the 3rd day of January, 2007.

ORDER

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the accused in CR No. 104 of 2006 of Chadayamangalam Excise Range for offences punishable under Sec. 8(1) and (2) of the Abkari Act, for having been found in possession of 20 liters of illicit arrack on 6.12.2006, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor. The learned Public Prosecutor opposed the application.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This application is accordingly dismissed.

V.RAMKUMAR,
JUDGE.

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